

Attachment 2
Findings and Conditions
Oasis Winery Special Exception

Salahi Family Limited Partnership/Oasis Winery, owner/applicant - Renew an existing special exception under category 5-916, Spectator and Non-Spectator Field Events and Activities (Class C) - Marshall District (#3707) (PIN #5998-87-0439-000 AND #5998-88-4344-000)

Finding

The Board of Supervisors finds that the type and amount of traffic generated by the proposed use is such that it will not cause undue impact on the neighbors or adversely affect the safety of Hume Road (Route 635) provided that the Class C events and Open Houses follow the conditional limitations on attendance found below.

Conditions

1. Under this special exception, the Class C uses for this property shall be limited to the following: arts and crafts shows; family reunions; wedding ceremonies and receptions and similar receptions; picnics, barbecues, and other similar activities such as wine tasting dinners and wine tasting lunches; corporate retreats; education seminars; and community-related arts, cultural, and educational activities.
2. When conducting a Class C event with fewer than 150 cumulative attendees, the property and winery may be open to the general public for an open house. The winery also may be open to the general public prior to the beginning or after the end of any Class C event with more than 150 cumulative attendees, on the condition that those on the grounds at the start of the event are included in the cumulative numbers. The one exception is that the property and winery shall not be open to the general public on the day of Class C events with up to 600 cumulative attendees.
3. No more than two Class C events may be held in one day; provided, however, that Class C events may not be held simultaneously, and provided further that total cumulative Class C attendees shall not exceed the maximum of 600 permitted hereunder.
4. Only structures and facilities at the winery and on the property existing on the Special Exception Plat, the stone patios and decks, and the grass area adjacent to the pond may be used for permitted Class C events.

Wine Tasting Lunches and Dinners

5. Prearranged wine tasting lunches (weddings not included) up to 150 cumulative attendees shall be allowed between the hours of 11:00 A.M. and 3:00 P.M.
6. Up to 12 per month prearranged wine tasting dinners (weddings not included) with up to 150 cumulative attendees shall be allowed between the hours of 6:00 P.M. and 10:00 P.M. A wine tasting dinner held on New Year's Eve may exceed these time limits.

Class C Events (Other Than Wine Tasting Lunches and Dinners)

7. Up to 12 events (including weddings) per year with up to 300 cumulative attendees permitted on the property shall be allowed between the hours of 10:00 A.M. and 11:00 P.M., provided that all outdoor non-amplified music shall cease no later than 10:00 P.M. Event preparation and breakdown shall cease by 11:00 P.M.
8. Four events scheduled for one distinct day, between the hours of 10:00 A.M. and 5:00 P.M., up to 600 cumulative attendees permitted on the property shall be allowed on Memorial Day, Fourth of July, Labor Day, and Oktoberfest weekends. No other Class C event shall be scheduled for that day, nor shall the winery be open to the general public.
9. The winery shall keep records of attendance at all Class C events and shall make such records available to the Zoning Administrator upon request. For Class C events described in Conditions 7 and 8, the winery shall issue numbered admittance tickets for all attendees and shall keep a record at the front gate which can be made available for inspection during the event, upon request by the Fauquier County Zoning Administrator or designee.

Music

10. Only non-amplified music shall be permitted outdoors. Instruments shall not employ electronic amplification. All other music, including recorded music, must be played within an enclosed, sound proofed, permanent structure (this does not include a tent) with closed windows and doors, except otherwise provided in these conditions. Such enclosed structure shall be either the existing winery building or the existing open frame shed renovated with walls. The existing winery building may be expanded as far as the existing concrete patio but shall not be expanded to include the new deck or paved areas identified on the Special Exception Plat.
11. Sound levels shall not exceed 60 dB at all property lines for:
 - Outdoor wedding ceremonies permitted in Condition 7 which may have traditional, non-amplified, wedding music;
 - Wine tasting lunches and wine tasting dinners and other events permitted in Conditions 5, 6 and 7 may have outdoor, non-amplified, music on the existing patio, tent pad and deck areas; and
 - The four one-day Class C events described in Condition 8 which may have outdoor, non-amplified, music between the hours of 10:00 A.M.-5:00 P.M.

Noise

12. For all Class C events, the winery shall provide the Zoning Administrator with notice in accordance with Zoning Ordinance provisions.
13. For all Class C events in Conditions 7 and 8, the winery shall provide notice to all neighbors requesting such notice within a three-mile radius. The neighbors are responsible for informing the winery on an annual basis of their desire to be notified and must provide an address for notification.

Miscellaneous

14. There shall be no fireworks displays.
15. There shall be no helicopter or other aircraft rides permitted in connection to Class C events.
16. Hot air balloon rides are permitted at Class C events two times per year, provided that such events are held between the months of April and October, inclusive.
17. Fire extinguishers meeting State and Federal standards shall be maintained at all buildings and facilities at the winery and on the property used for Class C events.
18. All grass areas used for parking shall be mowed and maintained so as to minimize the risk of fires, and the grass height in any parking area shall not exceed that as approved by the Director of Emergency Services.
19. The winery shall employ sufficient persons to facilitate the parking of vehicles, to keep track of the number of attendance, and to control those in attendance.
20. All on-site parking, entrances, and physical improvements shall comply with the County's site plan regulations. Entrances shall comply with VDOT requirements.
21. All lighting shall comply with the County's lighting ordinance. Parking illumination shall be limited to ground lighting.
22. The winery shall conform at all times to the Health Department regulations regarding sewage facilities; food service, hand washing facilities and wells.
23. An approved site plan is required within one year of this special exception approval and before any Class C events commence.
24. The winery shall add no additional facilities or wine tasting facilities, nor expand existing wine tasting facilities beyond those identified in the special exception plat, except those described in Conditions 4 and 10, without obtaining a new or amended special exception.

Term

25. *The special exception shall be limited as permitted by Section 5-008 of the Fauquier County Zoning Ordinance to a period of one (1) year from the date of approval, but may be extended on an annual basis by the Zoning Administrator in accordance with the provisions of Section 5-012 of the Zoning ordinance for 2 annual extensions, a total of three (3) years. Thereafter, the special exception must be renewed in accordance with Section 5-013 of the Zoning Ordinance. The Zoning Administrator shall notify the Board of Supervisors at least thirty (30) days prior to renewing the special exception.*